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<b>DEFENDANT (S) NAME</b>	<b>DOB</b>	<b>ARREST CODE</b>	<b>DATE</b>	<b>TIME</b>
<b>PAYNE, EARL DOUGLAS</b>	<b>05-25- 61</b>	<b>41.27.(c) LAMC</b>	<b>06-16- 2012</b>	<b>1720 HRS</b>

(DRINKING AN  
ALCOHOLIC  
BEVERAGE IN  
PUBLIC)

**ARREST#12-0647**

**OFFICER 1:** T. BAXTER  
#127

**OFFICER 2:** K. GORDON  
#132

LOCATION OF ARREST: **1123 N. VINE STREET**

**SOURCE OF ACTIVITY:**

WE (BAXTER / GORDON) WERE WORKING AS CONTRACTED UNIFORMED SECURITY OFFICERS FOR THE HOLLYWOOD BUSINESS IMPROVEMENT DISTRICT/ANDREWS INTERNATIONAL, 6801 HOLLYWOOD BLVD. SUITE 169, HOLLYWOOD CA. 90028 (323) 465-0122

**INVESTIGATION:**

WHILE CONDUCTING ROUTINE FOOTBEAT PATROL IN THE AREA OF LEXINGTON AND VINE, WE NOTICED A GROUP OF FOUR SUBJECTS STANDING ADJACENT TO THE PUBLIC SIDEWALK. THE SUBJECTS WERE STANDING ADJACENT TO THE PUBLIC SIDEWALK IN AN ALCOVE JUST NORTH OF THE VAGABOND HOTEL. WE NOTICED THAT A SUBJECT LATER IDENTIFIED AS BRIAN MCBRIDE WAS HOLDING A SILVER "211 STEEL RESERVE" MALT LIQUOR CAN. THE SUBJECTS WERE VISIBLE TO TRAFFIC AND PEDESTRIANS ON VINE STREET. MCBRIDE WAS LATER ARRESTED AND ISSUED AN RFC FOR DRINKING IN PUBLIC.

WE WATCHED THE GROUP FROM ACROSS THE STREET AND NOTICED A SUBJECT LATER IDENTIFIED AS EARL PAYNE DRINK FROM A "VITAMIN WATER" BOTTLE. THE BOTTLE WAS CLEAR AND THE FLUID INSIDE APPEARED TO BE A BEER LIKE LIQUID. WHEN WE STOPPED TO MAKE CONTACT WITH THE GROUP, PAYNE PLACED THE BOTTLE ON THE GROUND AND WALKED APPROXIMATELY FOUR FEET AWAY. THE BOTTLE WAS PLACED ON THE PUBLIC SIDEWALK. I (BAXTER) EXAMINED THE BOTTLE AND CONFIRMED THAT THE CONTENTS WERE IN FACT AN ALCOHOLIC BEVERAGE. PAYNE ALSO ADMITTED THAT HE WAS DRINKING AND ACCEPTED RESPONSIBILITY FOR HIS ACTIONS.

WE ADVISED PAYNE THAT HE WAS BEING PLACED UNDER PRIVATE PERSONS ARREST FOR 41.27.(C) LAMC (DRINKING IN PUBLIC). WE TOLD PAYNE THAT HE WOULD BE TAKEN DIRECTLY TO THE HOLLYWOOD STATION DESK FOR DISPOSITION (RELEASE ON CITATION). PAYNE SAID HE UNDERSTOOD AND SUBMITTED TO THE ARREST WITHOUT INCIDENT. PAYNE WAS TRANSPORTED TO HOLLYWOOD STATION BY HBID OFFICERS KANAGI AND MERKENS.

PAYNE WAS LATER RELEASED FROM CUSTODY ON HIS WRITTEN PROMISE TO

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APPEAR (RFC). RELEASE INFORMATION CONTAINED BELOW.

**ARREST:**

PAYNE WAS ARRESTED FOR 41.27(C) LAMC (DRINKING AN ALCOHOLIC BEVERAGE IN PUBLIC) UNDER AUTHORITY OF 837 P.C. (PRIVATE PERSONS ARREST).

**ADDITIONAL:**

PAYNE HAS A PRIOR ARREST BY HBID OFFICERS FOR DRINKING IN PUBLIC.

**RELEASE INFORMATION:**

PAYNE WAS TAKEN TO THE HOLLYWOOD POLICE STATION WHERE HE WAS ISSUED **RFC# B72229** BY LAPD **OFFICER STINE #31024**, WITH THE APPROVAL OF THE STATION WATCH COMMANDER, SERGEANT OGAZ.

**ADDITIONAL:**

A COMPANION AT THE SCENE WAS ALSO ISSUED A CITATION FOR 41.27(c) LAMC. SEE RFC#B72258 (BRIAN MCBRIDE)

**EVIDENCE:**

1 - 1 CLEAR PLASTIC "VITAMIN WATER" BOTTLE.

\*EVIDENCE WAS DISPOSED AT THE HBID SECURITY OFFICE IN ACCORDANCE WITH COMPANY POLICY.

**PICTURE:**

CONTAINED IN REPORT.

**MEDICAL TREATMENT:**

NONE CLAIMED AND NONE OBSERVED



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